

MARCH 19, 2024 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commission Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Dennert, Fjeldheim, Gage, Sutton, and Wiese. Commissioner Gage led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Commissioner Wiese moved to approve the agenda, seconded by Gage. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT: None

BURN BAN:

Chairman Sutton shared that he spoke with Scott Meints, Emergency Management Director and his recommendation is to leave the Burn Ban on at least one more week depending on the weather. Chairman Sutton shared that he was contacted by a concerned resident that we didn't follow the ordinance; there is an Emergency Clause that allows for Emergency Situations. Scott Meints commented that he had visited with the Fire Chiefs and since there are no farmers in the field yet and they have no tillage equipment hooked up so they wouldn't be able to give them a hand on a large fire. Commissioner Wiese questioned Scott if Brown County had been over the threshold in the last week; Scott replied that yes Brown County had actually reached the threshold for a couple of days. The burn ban remains in effect.

COMMUNITY HEALTH CONTRACT FOR 2024:

A discussion was held regarding the 2024 Community Health Contract regarding the cost and the services provided. A couple of questions were raised such as who all contributes to the Brown County Community Health Center, what services they are providing, etc. so Commissioner Wiese moved to postpone this decision for a week and asked Auditor Heupel to gather more information and see if they'd be willing to come in with an update, seconded by Gage. All members present voting aye. Motion carried.

BROWN COUNTY FAIR SANITATION & CLEANING SERVICES:

Brown County Fair Board received two proposals for Sanitation and Cleaning Services for the 2024 Brown County Fair: Pam's Cleaning Service for \$20,000.00 and Home Clean Homes by Maria for \$19,000.00. The Brown County Fair Board recommended to accept the quote from Home Clean Homes by Maria. Moved by Commissioner Fjeldheim, seconded by Dennert to accept the quote from Home Clean Homes by Maria, which is owned by Elvia Prescott for \$19,000.00. All members present voting aye. Motion carried.

MINUTES:

Moved by Commissioner Gage, seconded by Wiese to approve the March 12, 2024 General Meeting Minutes. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the following claims:

CLAIMS: Professional Fees: CGI, LLC \$537.50; Christy Griffin-Serr Law Office \$8,333.33; Clinical Laboratory of the Black Hills \$2,320.00; Cogley Law Office, Prof LLC \$8,333.33; Dakotabilities \$1,440.00; Dohrer Law Office, PC \$8,333.33; Faulk County Sheriff's Office \$14,040.00; Fox Law Firm, PLLC \$320.00; Horizon Health Care, Inc \$1,811.43; Jerald M. McNeary \$8,333.33; Jeremy Lund-Siegel Barnett & Schutz, LLP \$8,333.33; John Noyes-Bantz, Gosch & Cremer \$8,333.33; K&S Plumbing \$147.71; Kuck Law Office \$8,333.33; Lewis & Clark BHS \$1,278.00; Mark Katterhagen \$30.00; Northeastern Mental Health Center \$1,664.00; Professional Rodeo Cowboys Association \$1,250.00; Sanford Health Occupational Medicine \$194.00; SD Dept of Revenue \$2,436.51; SDSU Extension \$77.91; Taliaferro Law Firm, PC \$8,384.83; Thurman Law Office \$241.50; Tschetter & Adams Law Office, PC \$6,808.81; Valerie Larson \$30.00; Women's Professional Rodeo Association \$150.00; Yankton County Sheriff's Office \$100.00; Yellowstone County Sheriff's Office \$75.00. **Publishing:** Groton Daily Independent \$562.45; KSJB/KSJZ Radio \$3,000.00. **Repairs & Maintenance:** Custom Installation Solutions \$806.25; Dakota Doors Inc \$148.98; Double D Body Shop \$355.67; House of Glass \$229.48; Hub City Roofing Inc \$8,500.00; Jason's Electric Inc \$361.93; Newman Signs, Inc \$121.54; Pheasantland Industries \$67.24; Plastic Works \$700.00; Pomp's Tire Service, Inc \$680.76. **Supplies:** Advance Auto Parts \$263.28; Amazon Capital Services, Inc \$478.00; Aramark \$123.43; Big State Industrial Supply Inc \$599.20; Century

Business Products \$1,106.29; Charm-Tex, Inc \$922.80; Cole Paper Inc \$1,584.37; Fox Law Firm, PLLC \$4.28; K&S Plumbing \$291.84; LabSource, Inc \$664.60; Matthew Bender & Co., Inc \$304.63; Menards \$569.91; Midstates Group \$52.45; Newman Signs, Inc \$1,671.00; NVC \$28.13; Performance Oil \$357.52; Pheasantland Industries \$2,463.00; Plastic Works \$11,750.20; Plumbing & Heating Wholesale, Inc \$1,037.11; Quality Welding, Inc \$50.46; Runnings \$3,451.70; SD Dept of Revenue & Regulation \$5.00; Share Corporation \$105.00; Shop 4-H/National 4-H Council \$251.55; StopStick, LTD \$604.00; Thurman Law Office \$6.30; TrueNorth Steel \$45,240.00. Travel & Conference: Dennis Feickert \$13.26; Duane Jark \$56.61; Krav Maga Worldwide \$895.00; Lynn Heupel \$83.33; SDACC \$60.00; Troy Knecht \$38.76. Utilities: CenturyLink \$1,233.19; City of Aberdeen Treasurer \$388.58; City of Hecla \$199.63; Dependable Sanitation \$360.00; James Valley Telecommunications \$209.10; Northwestern Energy \$216.74; NVC \$3,319.83; Verizon Wireless \$5,636.51. Others: Clerk of Courts \$91.25; God of Young Trust \$30.00; Safe Harbor \$465.00; SD Dept of Revenue \$834,731.73. All members present voting aye. Motion carried.

HR REPORT:

Moved by Commissioner Dennert, seconded by Wiese to approve the following Human Resource Report submitted by Human Resources Director, Allison Tunheim:

- Acknowledge the resignation of Allison Campton, Brown County Jail/JDC Nurse, PRN; PT Temporary – effective March 15, 2024.
- Brenda Lyke, Brown County Jail/JDC Nurse, PRN; PT-Temporary will be for Emergency Situations only.
- Hiring of Jennifer Powell as Brown County Jail/JDC Nurse, PRN; PT Temporary – effective March 15, 2024. Approximate time period for assignment is two weeks.
- Appointing the following as Deputy Coroner's: Jon Lemke; Mike Hill; Keith Baker; Wes Graff; Brandon Mills; Alternate is Brandon Leslie from Spitzer-Miller Funeral Home. Removal of Gavin Wright.

All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the following travel requests: Dirk Rogers, Highway Superintendent to attend Superintendents Short Course in Deadwood, SD on March 19 – 22, 2024; Joseph Kretchman with Brown County Sheriff's Office to attend Krav Maga Instructor Training in Sioux Falls, SD on March 25-29, 2024; and Roxy Hilgenberg, Welfare Director along with Lynn Heupel and Dave Engraf from Auditor's office to attend the Welfare Workshop in Pierre, SD on April 3-4, 2024. All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

Moved by Commissioner Gage, seconded by Wiese to authorize and approve the Auditor sign the Claim Assignments against individuals to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

HUB CITY RADIO FAIR CONTRACT:

Moved by Commissioner Dennert, seconded by Fjeldheim to approve and authorize Chairman Sutton to sign the contract with Hub City Radio for Advertising for the 2024 Brown County Fair: \$12,000.00 for Radio; \$3,000.00 for Carnival and \$10,000.00 for Digital for a total of \$25,000.00. All members present voting aye. Motion carried.

SD DOT PAVEMENT MARKING CONTRACT:

Moved by Commissioner Wiese, seconded by Dennert to approve and authorize Chairman Sutton to sign the SD D.O.T Pavement Marking for State funds to be distributed annually based on the State Certified Road Mileage for County Primary and County Secondary Paved Roads which will be based on the number of pavement miles in said County as compared to the total number of pavement miles statewide, as computed by the State. Chairman Sutton shared that he spoke with Dirk Rogers, Highway Superintendent and the Superintendents recommended a change in how SD DOT was doing it, same funding of \$500,000.00 but the way it is divvied up, went through Highway Commission, and was approved, breakdown is based on per mile paved mile in your county, and Brown County appears to be the largest recipient of the funds. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the following lease agreements: John Alberts for lease of Holum Expo Building on April 8, 2024 for a Circus. All members present voting aye. Motion carried.

LOTTERY PERMITS:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the date change for lottery permit issued to SPURS Therapeutic Riding Center from December 13, 2024 to December 15, 2024. All members present voting aye. Motion carried.

DIVE TEAM UPDATES:

Moved by Commissioner Wiese, seconded by Gage to approve the updated Dive Team volunteers list as follows: Trent Anderson, Casey Bade, Rodney Bade, Clayton Blachford, Cody Bonn, Michael Dunbar, Mike Kost, Dave McGuire, Benden Miller, Brett Toennies and Jason Vilhauer. Team Leaders are Scott Meints and Dave Lunzman. All members present voting aye. Motion carried.

OTHER BUSINESS:

Commissioner Wiese questioned District 3 Representative Perry on the wording in SB201, Section 2 – Tax Relief portion on the funding that is suppose to go to the Counties and what the intent of it was: fee per linear foot for operation pipeline – as least 50% of tax relief for property in the county where the CO2 pipeline is located pro rata on a per foot basis to each property in the county upon which the pipeline is installed so question is the pro rata per parcel in the county the pipeline is in or per parcel that the pipeline runs through? Representative Perry believes that is per parcel that the pipeline runs through is the intention, Wiese stated that it is not clear as written. Perry shared SB201 has been approved but there are a lot of people disputing it and there will be a referendum presented on the 25th to put this as a ballot initiative because they believe there are too many loose ends such as this. Commissioner Wiese stated that the County would be responsible for administering that portion of it and it appears to be a little bit ambiguous as to whether or not it is every parcel in the County that the pipeline runs through or every parcel that the pipeline itself runs through, us as Commissioners feel it can be construed either or both ways. Representative Perry commented that Will Mortenson is a Representative of that bill so they could reach out to him; half would go to the Landowner and half would go to the County. The new breakdown is to appease the County for taking away the local control. Commissioner Dennert commented that if you divide it to every landowner; the total tax relief per parcel in Brown County would come to about \$5 per parcel; if divided out per parcel that pipeline is actually running through then it would be more but only affects a handful of people.

EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Dennert to go into executive session to discuss Personnel per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Commissioner Wiese, seconded by Gage to adjourn the Brown County Commission at 9:38 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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